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Letter dated 10 November 2005 from the President of the Security Council addressed to the Secretary-General

I have the honour to inform you that your letter dated 31 October 2005 (S/2005/708) concerning your intention to appoint Martti Ahtisaari to be your Special Envoy for the future status process for Kosovo, and Albert Rohan as his deputy, has been brought to the attention of the members of the Council. They welcome your intention. They attach, for your reference, the guiding principles for the future status process for Kosovo agreed to by the Contact Group (France, Germany, Italy, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America), which have been transmitted to the Council members (see annex).

I should be grateful if you could have the present letter and its annex circulated as a document of the Security Council.

(*Signed*) Andrey I. **Denisov**
President of the Security Council

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Annex

Guiding principles of the Contact Group for a settlement of the status of Kosovo

The Contact Group has considered the Secretary-General's letter and Ambassador Kai Eide's report on the comprehensive review of the situation in Kosovo contained therein that were submitted to the Security Council on 7 October 2005.

The Contact Group supports the recommendation by the Secretary-General to the Security Council based on this report to launch a process to determine the future status of Kosovo in accordance with Security Council resolution 1244 (1999). It welcomes the intention of the Secretary-General to appoint a Special Envoy to lead this process. The Contact Group looks forward to supporting the efforts of the Special Envoy and his team.

A negotiated solution should be an international priority. Once the process has started, it cannot be blocked and must be brought to a conclusion. The Contact Group calls on the parties to engage in good faith and constructively, to refrain from unilateral steps and to reject any form of violence. Those advocating violence will have no role. The Special Envoy can take appropriate action within his United Nations mandate to suspend or exclude any individual or group, if he judges that their actions are not conducive to progress.

The Contact Group calls on all parties to establish unified negotiating teams and agree on common positions.

The process should provide for the effective participation of the Kosovo Serbs and other Kosovo citizens and communities. Regional neighbours and other interested parties should also be consulted as necessary.

The progress of the status process will depend not only on the level of engagement by the parties but also on the conditions on the ground. The implementation of the standards laid down by the United Nations must continue during the status process and will be a factor in determining progress.

The Contact Group reaffirms the importance which it attaches to constructive and sustained dialogue at all levels between Belgrade and Pristina and between the different communities in Kosovo. It asks the authorities in Belgrade to actively encourage the Serbs of Kosovo to take their place in Kosovo's institutions.

The Security Council will remain actively seized of the matter. The final decision on the status of Kosovo should be endorsed by the Security Council.

The Contact Group therefore informs all the involved parties that the outcome of the status process should be based on the principles set out below:

1. The settlement of the Kosovo issue should be fully compatible with international standards of human rights, democracy and international law and contribute to regional security.

2. The settlement of Kosovo's Status should conform with democratic values and European standards and contribute to realizing the European perspective of Kosovo, in particular, Kosovo's progress in the stabilization and association process, as well as the integration of the entire region in Euro-Atlantic institutions.

3. The settlement should ensure multi-ethnicity that is sustainable in Kosovo. It should provide effective constitutional guarantees and appropriate mechanisms to ensure the implementation of human rights for all citizens in Kosovo and of the rights of members of all Kosovo communities, including the right of refugees and displaced persons to return to their homes in safety.

4. The settlement should provide mechanisms to ensure the participation of all Kosovo communities in government, both on the central and on the local level. Effective structures of local self-government established through the decentralization process should facilitate the coexistence of different communities and ensure equitable and improved access to public services.

5. The settlement of Kosovo's status should include specific safeguards for the protection of the cultural and religious heritage in Kosovo. This should include provisions specifying the status of the Serbian Orthodox Church's institutions and sites and other patrimony in Kosovo.

6. The settlement of Kosovo's status should strengthen regional security and stability. Thus, it will ensure that Kosovo does not return to the pre-March 1999 situation. Any solution that is unilateral or results from the use of force would be unacceptable. There will be no changes in the current territory of Kosovo, i.e. no partition of Kosovo and no union of Kosovo with any country or part of any country. The territorial integrity and internal stability of regional neighbours will be fully respected.

7. The Status settlement will ensure Kosovo's security. It will also ensure that Kosovo does not pose a military or security threat to its neighbours. Specific provisions on security arrangements will be included.

8. The settlement of Kosovo's status should promote effective mechanisms to strengthen Kosovo's ability to enforce the rule of law, to fight organized crime and terrorism and safeguard the multi-ethnic character of the police and the judiciary.

9. The settlement should ensure that Kosovo can develop in a sustainable way both economically and politically and that it can cooperate effectively with international organizations and international financial institutions.

10. For some time Kosovo will continue to need an international civilian and military presence to exercise appropriate supervision of compliance of the provisions of the Status settlement, to ensure security and, in particular, protection for minorities as well as to monitor and support the authorities in the continued implementation of standards.